

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Chapter
7 Estate of Bernard L. Madoff,

Plaintiff,

v.

MARTIN SAGE and SYBIL SAGE,

Defendants.

Adv. Pro. No. 23-01098 (CGM)

STIPULATION REGARDING WAIVER OF SERVICE

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff, and defendants Martin Sage and Sybil Sage (the “Defendants,” and, together with the Trustee, the

“Parties”), by and through their respective undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on April 19, 2023, the Trustee commenced the above-captioned adversary proceeding against Defendants (the “Action”) to recover subsequent transfers allegedly received from Sage Associates and Sage Realty, *see* Complaint, *Picard v. Sage*, Adv. Pro. No. 23-01098 (Bankr. S.D.N.Y. Apr. 19, 2023), ECF No. 1 (the “Complaint”); and

WHEREAS Defendants are represented by Richard A. Kirby, Esq. of RK Invest Law PBC concerning this matter and is authorized by Defendants to accept service of process of this lawsuit on their behalf.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that:

1. Defendants accepted service of the Trustee’s Complaint and summons, which were transmitted electronically to undersigned counsel.
2. Defendants will answer, move, or otherwise respond to the Trustee’s Complaint on or before May 24, 2023.
3. The Parties in this Action reserve all rights, claims, arguments, objections, and defenses they may have and, except as specifically provided herein, nothing referenced in this Stipulation shall impair, constitute a waiver of, or otherwise affect any such rights, claims, arguments, objections, and defenses.

Dated: May 4, 2023
New York, New York

By: /s/ Richard A. Kirby

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By: /s/ Lan Hoang

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SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff*